## **EXHIBIT A**

2:19-cv-01167-DCN	Date Filed 04/22	2/19	<b>Entry Number 1-1</b>	F	Page 2 of 17
STATE OF SOUTH CAROLINA		)			
COUNTY OF CHARLESTON		)	2019-CP-10		F COMMON PLEAS
AND NEW COM		)	<del></del>		
AMY NEWSOM	Plaintiff(s)	)	CIVIL ACT	ION	COVERSHEET
	i idilitii(3)	)			
vs.		)			
GCA SERVICES GROUP, INCINDUSTRY GROUPS, LLC INDUSTRIES INCORPORATED	D/B/A ABM	) ) )			2019 MAR 14  JULIE J. AV CLEWN OF
	Defendant(s)	)	CCD: 4. 7220	.0	35 2
Submitted By: <u>Jason A. Daigle</u> Address: <u>Post Office Box 993</u> Charleston, SC 29402-0993				720	-5436 -1324
			Other:	_	ycrlaw.com 9 f
NOTE: The coversheet and information conta required by law. This form is required for the	e use of the Clerk of Cou	aces nor s	supplements the filing and purpose of docketing. It is	servi nust l	ce of pleadings or other papers as be filled out completely, signed,
and dated. A copy of this coversheet must be a			with the Summons and Co I (Check all that apply		nt.
	f Action is Judgment		`	,	
JURY TRIAL demanded in complain			RIAL demanded in cor		
<ul><li>☐ This case is subject to ARBITRATION</li><li>☐ This case is subject to MEDIATION</li></ul>					
This case is exempt from ADR. (Proc					
NA	TURE OF ACTIO	IN <u>(Ched</u>	ck One Box Below)		
Constructions (100) Dental Debt Collection (110) Legal General (130) Medic Breach of Contract (140) Previous Noti Fraud/Bad Faith (150) 20NI	Malpractice (210)  In al Malpractice (220)  In al Malpractice (220)	Con- Moto Pren Prod Perso	ts – Personal Injury version (310) or Vehicle Accident (320) nises Liability (330) ucts Liability (340) onal Injury (350) ngful Death (360)		Real Property Claim & Delivery (400) Condemnation (410) Foreclosure (420) Mechanic's Lien (430) Partition (440) Possession (450)
Other	(299)	Assa	ult/Battery (370)		Building Code Violation (460)
<ul> <li>☐ Employment Discrim (170)</li> <li>☐ Employment (180)</li> <li>☐ Other (199)</li> </ul>			der/Libel (380) r (399)		Other (499)
PCR (500) Reinstate Mandamus (520) Judicial R Habeas Corpus (530) Relief (82 Other (599) Permanen Forfeiture	Review (810) [ 20) [ at Injunction (830) [ a-Petition (840) [ a-Consent Order (850) [	☐ Deat. ☐ Forei ☐ Mag ☐ Mino ☐ Trans ☐ Lis P ☐ Trans Settle	Igments/Settlements h Settlement (700) gn Judgment (710) istrate's Judgment (720) or Settlement (730) script Judgment (740) iendens (750) ister of Structured iement Payment Rights ication (760)		Appeals Arbitration (900) Magistrate-Civil (910) Magistrate-Criminal (920) Municipal (930) Probate Court (940) SCDOT (950) Worker's Comp (960) Zoning Board (970) Public Service Comm. (990)
	_	Petitio Comp	n for Workers ensation Settlement		Employment Security Comm (991) Other (999)
☐ Medical (620) ☐ Out-of S	state Depositions (650)	Appro Other (	val (780) 799)		
Other (699) Motion t	to Quash Subpoena in of-County Action (660)				
	Physicology (670)			-	
Submitting Party Signature: 4	Ilmy C		Date:	3	-14-19

Note: Frivolous civil proceedings may be subject to sanctions pursuant to SCRCP, Rule 11, and the South Carolina Frivolous

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Civil Proceedings Sanctions Act, S.C. Code Ann. §15-36-10 et. seq.

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Effective January 1, 2016, Alternative Dispute Resolution (ADR) is mandatory in all counties, pursuant to Supreme Court Order dated November 12, 2015.

SUPREME COURT RULES REQUIRE THE SUBMISSION OF ALL CIVIL CASES TO AN ALTERNATIVE DISPUTE RESOLUTION PROCESS, UNLESS OTHERWISE EXEMPT.

#### Pursuant to the ADR Rules, you are required to take the following action(s):

- 1. The parties shall select a neutral and file a "Proof of ADR" form on or by the 210<sup>th</sup> day of the filing of this action. If the parties have not selected a neutral within 210 days, the Clerk of Court shall then appoint a primary and secondary mediator from the current roster on a rotating basis from among those mediators agreeing to accept cases in the county in which the action has been filed.
- 2. The initial ADR conference must be held within 300 days after the filing of the action.
- 3. Pre-suit medical malpractice mediations required by S.C. Code §15-79-125 shall be held not later than 120 days after all defendants are served with the "Notice of Intent to File Suit" or as the court directs.
- 4. Cases are exempt from ADR only upon the following grounds:
  - a. Special proceeding, or actions seeking extraordinary relief such as mandamus, habeas corpus, or prohibition;
  - b. Requests for temporary relief;
  - c. Appeals
  - d. Post Conviction relief matters;
  - e. Contempt of Court proceedings;
  - f. Forfeiture proceedings brought by governmental entities;
  - g. Mortgage foreclosures; and
  - h. Cases that have been previously subjected to an ADR conference, unless otherwise required by Rule 3 or by statute.
- 5. In cases not subject to ADR, the Chief Judge for Administrative Purposes, upon the motion of the court or of any party, may order a case to mediation.
- 6. Motion of a party to be exempt from payment of neutral fees due to indigency should be filed with the Court within ten (10) days after the ADR conference has been concluded.

Please Note: You must comply with the Supreme Court Rules regarding ADR. Failure to do so may affect your case or may result in sanctions.

STATE OF SOUTH CAROLINA )	IN THE COURT OF COMMON PLEAS 2019-CP-10-1323
COUNTY OF CHARLESTON )	NINTH JUDICIAL CIRCUIT
AMY NEWSOME,	CASE NO.:
PLAINTIFF, )	2019 HAR I
vs.	SUMMONS SE T
GCA SERVICES GROUP, INC., and; ) ABM INDUSTRY GROUPS, LLC d/b/a ) ABM INDUSTRIES INCORPORATED )	(JURY TRIAL DEMANDED) =
DEFENDANTS.	
TO: THE ABOVE-NAMED DEFENDANT	S:

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action, a copy of which is herewith served upon you, and to serve a copy of your Answer to the said Complaint on the subscribers at their offices, 25 Calhoun Street, Charleston, South Carolina, within thirty (30) days after the service hereof, exclusive of the day of such service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.

YOUNG CLEMENT RIVERS, LLP

Jason A. Daigle, Esquire

P.O. Box 993

Charleston, SC 29402

(843) 724-5436

jdaigle@ycrlaw.com

Attorneys for the Plaintiff

Charleston, South Carolina

Dated: 3-14-19

STATE OF SOUTH CAROLINA )	IN THE COURT OF COMMON PLEAS 2019-CP-10-1323
COUNTY OF CHARLESTON	NINTH JUDICIAL CIRCUIT
AMY NEWSOME,	CASE NO.:
PLAINTIFF, )	COMPLAINT STATE TO
vs.	COMPLAINT = 5
GCA SERVICES GROUP, INC., and; ABM INDUSTRY GROUPS, LLC d/b/a	(JURY TRIAL DEMANDED)
ABM INDUSTRIES INCORPORATED )	
DEFENDANTS. )	

The Plaintiff, Amy Newsome, by and through her undersigned counsel, respectfully alleges and shows the Court as follows:

## **Parties**

- 1. Plaintiff is a citizen and resident of the state of Ohio.
- 2. Upon information and belief, GCA Services Group, Inc. (hereinafter referred to as "GCA") is a foreign corporation which, at all times relevant hereto, regularly conducted business in Charleston County.
- 3. Upon information and belief, ABM Industry Groups, LLC d/b/a ABM Industries Incorporated (hereinafter referred to as "ABM") is a foreign corporation which regularly conducts business in Charleston County.
- 4. Upon information and belief ABM acquired GCA in 2017 and ABM is a successor in interest and liability to GCA (hereinafter GCA and ABM collectively referred to as "Defendants").

## Jurisdiction and Venue

5. This action arises out of an incident that occurred in Charleston County at Pepperhill Elementary School located at 3300 Creola Road, North Charleston, South Carolina. This Court has jurisdiction over the claims and the parties in this action, and venue is proper in this Court.

#### FACTUAL BACKGROUND

- 6. The allegations stated in Paragraphs 1 through 5 above are repeated and realleged as if fully set forth verbatim herein.
- 7. At all times relevant hereto, Plaintiff was employed by the Charleston County School District and was a teacher at Pepperhill Elementary School in North Charleston.
- 8. At all times herein, Defendants acted by and through their employees and/or agents.
- 9. At all times herein, Defendants' employees and/or agents were acting within the course and scope of their employment.
- 10. At all times relevant hereto, Defendants were in the business of providing custodial and/or janitorial services to the Charleston County School District, including Pepperhill Elementary School.
- 11. One or about March 15, 2016, Defendants created an unreasonably unsafe and dangerous condition in the hallway at Pepperhill Elementary School.
- 12. On March 15, 2016 Plaintiff was seriously and permanently injured in the hallway at Pepperhill Elementary School as a direct and proximate result of the unreasonably unsafe and dangerous condition created by Defendants.

13. Defendants knew, or in the exercise of even the slightest care and/or diligence, should have known that the condition created in the hallway was unreasonably unsafe and dangerous.

## For A First Cause Of Action (Negligence/Gross Negligence/Recklessness)

- 14. The allegations stated in Paragraphs 1 through 13 above are repeated and realleged as if fully set forth verbatim herein.
  - 15. Defendants owed Plaintiff a duty of reasonable care.
- 16. Defendants were negligent, grossly negligent, careless, reckless, willful and wanton in one or more of the following particulars:
  - a. Creating, maintaining, and providing an unreasonably unsafe and dangerous condition;
  - b. Exposing Plaintiff to such dangerous conditions and failing to maintain safe conditions;
  - c. In failing to warn Plaintiff of the existence of the unreasonably unsafe and dangerous conditions, hazards, damages and risks pertaining to the conditions created by Defendants;
  - d. In failing to properly maintain the hallway;
  - e. In failing to reasonably inspect and/or to check the hallway for unreasonably unsafe and dangerous conditions;
  - f. In failing to use a degree of caution and care that a reasonable person would have used under the same or similar circumstances:
  - g. By otherwise acting in a careless, negligent, and reckless manner; and;
  - h. In any other such further particulars as the evidence may show.
- 17. As a direct and proximate result of Defendants' negligence, gross negligence, carelessness, willful and wantonness, and recklessness, Plaintiff has sustained the following damages:

**Entry Number 1-1** 2:19-cv-01167-DCN Date Filed 04/22/19 Page 9 of 17

a. Physical pain;

Suffering;

Emotional distress;

d. Loss of enjoyment of life;

e. Increased susceptibility to future injury;

Past and future medical expenses;

g. Permanent physical injury and disability;

h. Past and future lost wages and earning capacity, and;

Other injuries and damages that may be shown at trial.

18. Due to the reckless, willful, and wanton actions and/or omissions of Defendants,

Plaintiff is entitled to recover actual and punitive damages in whatever amount the finder of fact

determines.

WHEREFORE, Plaintiff prays for judgment against Defendants, for actual,

consequential, and punitive damages, for the costs of this action, and for such other relief as this

Honorable Court deems proper.

Plaintiff demands a trial by jury on all issues so triable.

YOUNG CLEMENT RAVERS, LLP

Jason A. Daigle, Esquire

P.O. Box 993

Charleston, SC 29402

(843) 724-5436

jdaigle@ycrlaw.com

Attorneys for the Plaintiff

Charleston, South Carolina

Dated: 3-14-19

4



Amanda K. DeMato Legal Assistant

Direct Dial: (843) 720-5418 Direct Fax: (843) 579-1345 E-mail: ademato@ycrlaw.com

March 14, 2019

## **VIA HAND DELIVERY**

Honorable Julie J. Armstrong Charleston County Clerk of Court 100 Broad Street, Suite 106 Charleston, SC 29401

Re

Amy Newsome v. GCA Services Group, Inc. and ABM Industry Groups, LLC

d/b/a ABM Industries Incorporated YCR File: 5167-20190202

Dear Ms. Armstrong:

Enclosed please find a Civil Action Cover Sheet and an original and two (2) copies of the Summons and Complaint in the above-referenced matter. Please file the originals and return the file-stamped copies to me. I have also enclosed a check in the amount of \$150.00 for the filing fees.

With kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP

Amanda K. DeMato Legal Assistant

AKD/akd Enclosure(s)

2:19-cv-01167-DCN Date Filed 04/	(22/19 Entry Number 1-1 Page 11 of 17
STATE OF SOUTH CAROLINA	) IN THE COURT OF COMMON PLEAS
COUNTY OF CHARLESTON	) NINTH JUDICIAL CIRCUIT
AMY NEWSOME,	CASE NO. 2019-CP-10-01323
PLAINTIFF,	
VS.	PROOF OF SERVICE OF GCA SERVICES GROUP, INC.
GCA SERVICES GROUP, INC. AND ABM INDUSTRY GROUPS, LLC D/B/A ABM INDUSTRIES INCORPORATED,	PM 4: 20
DEFENDANTS.	
I, Amanda K. DeMato, an employee	with the Law Offices of Young Clement Rivers,
LLP, attorneys for the Plaintiff, do hereby ce	rtify that on March 21, 2019, I served copies of the
Summons and Complaint onto GCA Service	es Group, Inc. by causing copies of the same to be

LLP, attorneys for the Plaintiff, do hereby certify that on March 21, 2019, I served copies of the Summons and Complaint onto GCA Services Group, Inc. by causing copies of the same to be mailed, certified mail, restricted delivery, return receipt requested, onto CT Corporation System, Registered Agent for GCA Services Group, Inc., 2 Office Park Court, Suite 103, Columbia, SC 29223, as evidenced by the attached green card.

YOUNG CLEMENT RIVERS, LLP

Amanda K. DeMato

P.O. Box 993, Charleston, SC 29402 (843) 720-5418; ademato@ycrlaw.com

Charleston, South Carolina

Dated: March 26, 2019

JULIE J. ARRESTRONS

# 2019-02-10-1323

		C	OMPLETE THIS SECTION ON DEL	VEn
ŠE	NDER: COMPLETE THIS SECTION	100	A. Signature	☐ Agent
1	Complete items 1, 2, and 3.  Print your name and address on the reverse so that we can return the card to you.  Attach this card to the back of the mailpiece, or on the front if space permits.  Article Addressed to:  CT COSPORATION SYSTEM	;	B. Receive Printed Name)  D. Is delivery address different from it if YES, enter delivery address bel	· · · · · · · · · · · · · · · · · · ·
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	PS Form 3811, July 2015 PSN 7530-02-000-9053			

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
COUNTY OF CHARLESTON	)	NINTH JUDICIAL CIRCUIT
AMY NEWSOME,	)	CASE NO. 2019-CP-10-01323
PLAINTIFF, vs.	) ) ) )	PROOF OF SERVICE OF ABM
GCA SERVICES GROUP, INC. A ABM INDUSTRY GROUPS, LLC ABM INDUSTRIES INCORPORA	D/B/A )	26 PM 4: 21 RMSTRONG F COURT
DEFENDAN	) ITS. )	1: 20 ONG

I, Amanda K. DeMato, an employee with the Law Offices of Young Clement Rivers, LLP, attorneys for the Plaintiff, do hereby certify that on March 21, 2019, I served copies of the Summons and Complaint onto ABM Industries Incorporated by causing copies of the same to be mailed, certified mail, restricted delivery, return receipt requested, onto CT Corporation System, Registered Agent for ABM Industries Incorporated, 2 Office Park Court, Suite 103, Columbia, SC 29223, as evidenced by the attached green card.

YOUNG CLEMENT RIVERS, LLP

Amanda K. DeMato

P.O. Box 993, Charleston, SC 29402

(843) 720-5418; ademato@ycrlaw.com

Charleston, South Carolina

Dated: March 26, 2019

JULIE OF VIEW OF COURT

# 2019-CP-10-1323

SENDER: COMPLETE THIS SECTION  Complete items 1, 2, and 3.  Print your name and address on the reverse so that we can return the card to you.  Attach this card to the back of the mailpiece, or on the front if space permits.  Article Addressed to:  CT COrporation System  Registered Agent for  ABM Industries Incorporated  2 office Park Lourt, Suite 103  Columbia, SC 29223	A. Signature  X L. C.  B. Received by (Printed Name)  D. Is delivery address different from If YES, enter delivery address	Agent  Addressee  C. Date of Delivery  3 2 - 9  n item 1?  Yes
9590 9402 3369 7227 3761 84  2. Article Number (Transfer from service label) 7017 0190 0000 2910 861	3. Service Type  Adult Signature Adult Signature Restricted Delivery Certified Mail® Certified Mail® Certified Mail Restricted Delivery Collect on Delivery Il I	☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☑ Return Receipt for Merchandise ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery
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STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
COUNTY OF CHARLESTON	)	NINTH JUDICIAL CIRCUIT
AMY NEWSOME,	)	CASE NO. 2019-CP-10-01323
PLAINTIFF,	)	PROOF OF SERVICE OF ABM
GCA SERVICES GROUP, INC. AND ABM INDUSTRY GROUPS, LLC D/B/A ABM INDUSTRIES INCORPORATED,	)	INDUSTRY GROUPS, LLC D/B/A ABM INDUSTRIES INCORPORATED
DEFENDANTS.	)	SONG

I, Amanda K. DeMato, an employee with the Law Offices of Young Clement Rivers, LLP, attorneys for the Plaintiff, do hereby certify that on March 21, 2019, I served copies of the Summons and Complaint onto ABM Industry Groups, LLC d/b/a ABM Industries Incorporated by causing copies of the same to be mailed, certified mail, restricted delivery, return receipt requested, onto CT Corporation System, Registered Agent for ABM Industry Groups, LLC d/b/a ABM Industries Incorporated, 2 Office Park Court, Suite 103, Columbia, SC 29223, as evidenced by the attached green card.

YOUNG CLEMENT RIVERS, LLP

Amanda K. DeMato

P.O. Box 993, Charleston, SC 29402 (843) 720-5418; ademato@ycrlaw.com

Charleston, South Carolina

Dated: March 26, 2019

JULIEN OF COURT

## 2019-CP-10-1323

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
Complete items 1, 2, and 3.	A. Signature
Print your name and address on the reverse so that we can return the card to you.	X Lisa Cutter ☐ Addressee
Attach this card to the back of the mailpiece, or on the front if space permits.	B. Received by (Printed Name) C. Date of Delivery
1. Article Addressed to: CT COrporation 545tem	D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
Registered Agent for ABM Industry Groups, LLC dlb/a ABM Industry	
Groups, LLC dlb/a ABM Industria	Juc.
2 Office Park Court, suite 103	
Columbia, SC 29223	
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Date Filed 04/22/19 Entry Number 1-1 2:19-cv-01167-DCN Page 17 of 17



Amanda K. DeMato Legal Assistant

Direct Dial: (843) 720-5418 Direct Fax: (843) 579-1345 E-mail: ademato@ycrlaw.com

March 26, 2019

### HAND DELIVERY

Honorable Julie J. Armstrong Charleston County Clerk of Court 100 Broad Street, Suite 106 Charleston, SC 29401

Amy Newsome v. GCA Services Group, Inc. and ABM Industry Groups, LLC

d/b/a ABM Industries Incorporated Case No.: 2019-CP-10-01323

YCR File:

5167-20190202

Dear Ms. Armstrong:

Enclosed please find an original and one (1) copy of the Proof of Service of GCA Services Group, Inc.; the Proof of Service of ABM Industry Groups, LLC d/b/a ABM Industries Incorporated; and the Proof of Service of ABM Industries Incorporated in the above-referenced matter. Please file the originals and return the file-stamped copies to me.

If you have any questions please do not hesitate to contact me.

With kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP

Amanda K. DeMato

Legal Assistant

AKD/akd Enclosure(s)